

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEVEN YOUNG,
Plaintiff,

v.

DANIEL CANCELLA, et al.,
Defendants.

Case No. [18-cv-01931-DMR](#)

VERDICT FORM

1. Has Steven Young proven that Daniel Cancilla attempted to conduct a pat down search of his person without reasonable suspicion to do so?

Yes _____ No _____

If you answered “no” to Question 1, proceed directly to Question 2. If you answered “yes” to Question 1, answer all of the following Special Questions i-xi before proceeding to Question 2. In answering Special Questions i-xi, **you must base your answers solely on what Mr. Cancilla knew or believed at the time he first attempted to pat down Mr. Young on May 2, 2017. Do not consider anything that Mr. Cancilla learned after that time.**

i. Did Mr. Cancilla reasonably believe that the neighborhood around 2250 Menalto Avenue was a high crime area? Yes ____ No ____

ii. Did Mr. Cancilla reasonably believe that drug sales had occurred at 2250 Menalto Avenue in the past? Yes ____ No ____

iii. Did Mr. Cancilla reasonably believe that Mr. Young had sold drugs at 2250 Menalto Avenue in the past? Yes ____ No ____

iv. Did Mr. Cancilla reasonably believe that Mr. Young could be involved in drug sales at 2250 Menalto Avenue on that day? Yes ____ No ____

v. Did Mr. Cancilla reasonably suspect that Mr. Young could have weapons concealed on his person? Yes ____ No ____

- 1 vi. Did Mr. Cancilla reasonably believe that Mr. Young had a razor in his hand?
2 Yes ____ No ____
- 3 vii. Did Mr. Cancilla reasonably believe that Mr. Young could use the razor as a weapon
4 against him or others? Yes ____ No ____
- 5 viii. Did Mr. Cancilla reasonably believe that Mr. Young could be physically aggressive
6 toward him? Yes ____ No ____
- 7 ix. Did Mr. Cancilla reasonably believe that Mr. Young appeared to be agitated?
8 Yes ____ No ____
- 9 x. Did Mr. Cancilla reasonably fear for his own safety? Yes ____ No ____
- 10 xi. Did Mr. Cancilla reasonably fear for the safety of the other officers on scene?
11 Yes ____ No ____

12 Proceed to Question 2.

13

14 2. Has Steven Young proven that any of the following Defendants used excessive force
15 against him?

16 Daniel Cancilla: Yes _____ No _____

17 Steven Humrich: Yes _____ No _____

18 Proceed to Question. 3.

19

20 3. Has Steven Young proven that Daniel Cancilla arrested him without probable cause?

21 Yes _____ No _____

22 Proceed to Question 4.

23

24 4. Has Steven Young proven that Steven Humrich unreasonably seized money from his
25 person?

26 Yes _____ No _____

27 If you answered “no” to Questions 1, 2, 3, and 4 as to both Defendants: stop, sign and date the
28 form, and return the form to the bailiff. If you answered “yes” for any question, as to either or

both Defendants, then answer Questions 5 and 6 as to that Defendant or those Defendants only.

5. State the amount of damages proven by Steven Young.

Daniel Cancilla: Amount of damages: _____

Steven Humrich: Amount of damages: _____

If Steven Young proved no actual damages, you must award nominal damages up to one dollar.

Proceed to Question 6.

6. Has Steven Young proven that either of the Defendants' conduct was malicious, oppressive, or committed in reckless disregard of his rights?

Daniel Cancilla: Yes _____ No _____

Steven Humrich: Yes _____ No _____

If you answered "no" as to both Defendants in Question 6: stop, sign and date the form, and return the form to the bailiff. If you answered "yes" as to either Defendant in Question 6, proceed to Question 7.

7. Do you award Steven Young punitive damages against either of the Defendants?

Daniel Cancilla: Yes _____ No _____

Steven Humrich: Yes _____ No _____

Dated: _____

Presiding Juror

IT IS SO ORDERED.

Dated: February 23, 2020


Donna M. Ryu
United States Magistrate Judge